

AMENDED IN ASSEMBLY MARCH 24, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2282**

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**Introduced by Assembly Member Gatto**

February 21, 2014

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An act to add Sections 17921.5 and 18940.6 to the Health and Safety Code, relating to building standards.

LEGISLATIVE COUNSEL’S DIGEST

AB 2282, as amended, Gatto. Building standards: recycled water infrastructure.

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. In the absence of a designated state agency, the commission is required to adopt specific building standards, as prescribed. Existing law requires the commission to publish, or cause to be published, editions of the code in its entirety once every 3 years. Existing law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the California Building Standards Commission and to adopt, amend, and repeal other rules and regulations for the protection of the public health, safety, and general welfare of the occupants and the public involving buildings and building construction.

This bill would require the Department of Housing and Community Development, in consultation with other designated entities, to conduct research to assist in the development of, and to propose; *the* adoption, amendment, or repeal by the California Building Standards Commission,

of mandatory building standards for the installation of future recycled water infrastructure for single-family and multifamily residential buildings. The bill would authorize the department to expend funds from the existing Building Standards Administration Special Revolving Fund for this purpose upon appropriation. The bill would require the department to ~~consider requiring local governments to adopt a recycled water service plan, with specified components~~ *limit the mandate to install recycled water piping to areas within a local jurisdiction that meet specified conditions, and to consider whether a service area plans to provide direct potable water prior to mandating the use of recycled water piping.* This bill would require the State Building Standards Commission to undertake identical research and activities with respect to development of mandatory green building standards for the installation of future recycled water infrastructure for commercial and public buildings.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 17921.5 is added to the Health and Safety
- 2 Code, to read:
- 3 17921.5. (a) (1) The department shall conduct research to
- 4 assist in the development of mandatory building standards for the
- 5 installation of future recycled water infrastructure for single-family
- 6 and multifamily residential buildings. In conducting this research,
- 7 the department shall actively consult with the State Water
- 8 Resources Control Board and other interested parties, including,
- 9 but not limited to, local water utility companies, product
- 10 manufacturers, local building officials, apartment owners, certified
- 11 contractors, and the building industry.
- 12 (2) In researching, developing, and proposing mandatory
- 13 building standards under this section, the department may expend
- 14 funds from the Building Standards Administration Special
- 15 Revolving Fund upon appropriation pursuant to Section 18931.7.
- 16 (3) Research conducted in order to propose building standards
- 17 pursuant to this section shall include, but is not limited to, the
- 18 following:

1 (A) Potential outdoor applications for recycled water, including  
2 drip and sprinkler irrigation and use in certain aesthetic water  
3 features.

4 ~~(B) Potential indoor applications for recycled water, including~~  
5 ~~use in toilets, washing machines, or both. With respect to indoor~~  
6 ~~application, the department shall consider restrictions on purchasing~~  
7 ~~recycled water piping.~~

8 *(B) Potential indoor applications for recycled water, including*  
9 *use in toilets, washing machines, or both. With respect to indoor*  
10 *applications, the department shall consider whether to adopt or*  
11 *recommend measures to ensure that indoor recycled water piping*  
12 *is safely installed, including, but not limited to, requiring special*  
13 *markings on recycled water piping that states clearly whether it*  
14 *is approved for indoor use, or recommending restrictions on who*  
15 *may purchase or install recycled water piping for indoor use.*

16 (C) The cost of various recycled water systems and  
17 infrastructure.

18 (D) The estimated quantity of water savings under varying levels  
19 of application of recycled water in residential buildings and  
20 adjacent landscaping.

21 (b) (1) The department shall propose the adoption, amendment,  
22 or repeal by the California Building Standards Commission  
23 pursuant to Chapter 4 (commencing with Section 18935) of Part  
24 2.5, of mandatory building standards for the installation of future  
25 recycled water infrastructure for single-family residential and  
26 multifamily residential buildings. The department shall submit  
27 these proposed mandatory building standards to the commission  
28 for consideration in the next regularly scheduled Intervening Code  
29 Cycle adopted after January 1, 2017.

30 ~~(2) When developing and proposing mandatory building~~  
31 ~~standards for the installation of recycled water infrastructure, the~~  
32 ~~department shall consider requiring local governments to adopt a~~  
33 ~~recycled water service plan, outlining the planned service area of~~  
34 ~~a recycled water provider, if the local government meets any of~~  
35 ~~the following requirements:~~

36 ~~(A) The local government has a recycled water facility in their~~  
37 ~~territory.~~

38 ~~(B) The local government has readily available access to a~~  
39 ~~recycled water facility outside their territory.~~

1 ~~(C) The local government has a general plan or an integrated~~  
2 ~~regional water management plan that includes the use of recycled~~  
3 ~~water.~~

4 *(2) When developing the application provisions for the*  
5 *mandatory building standards, the department shall limit the*  
6 *mandate to install recycled water piping to only those areas within*  
7 *a local jurisdiction that have feasible and cost-efficient access to*  
8 *a water recycling facility, or that have been identified by the local*  
9 *jurisdictions residing within a planned service area for the*  
10 *provision of recycled water for which a specific implementation*  
11 *timeline has been identified.*

12 *(3) The department shall consider whether a service area plans*  
13 *to provide direct potable water prior to mandating the use of*  
14 *recycled water piping.*

15 SEC. 2. Section 18940.6 is added to the Health and Safety  
16 Code, to read:

17 18940.6. (a) (1) The California Building Standards  
18 Commission shall conduct research to assist in the development  
19 of mandatory green building standards for the installation of future  
20 recycled water infrastructure for commercial and public buildings.  
21 In conducting this research, the commission shall actively consult  
22 with the State Water Resources Control Board and other interested  
23 parties, including, but not limited to, local water utility companies,  
24 product manufacturers, local building officials, apartment owners,  
25 certified contractors, and the building industry.

26 (2) In researching, developing, and proposing mandatory  
27 building standards under this section, the commission may expend  
28 funds from the Building Standards Administration Special  
29 Revolving Fund upon appropriation pursuant to Section 18931.7.

30 (3) Research conducted in order to propose building standards  
31 pursuant to this section shall include, but is not limited to, the  
32 following:

33 (A) Potential outdoor applications for recycled water, including  
34 drip and sprinkler irrigation and use in certain aesthetic water  
35 features.

36 ~~(B) Potential indoor applications for recycled water, including~~  
37 ~~use in toilets, washing machines, or both. With relationship to~~  
38 ~~indoor application, commission shall consider restrictions on who~~  
39 ~~can purchase recycled water piping.~~

1     (B) *Potential indoor applications for recycled water, including*  
2 *use in toilets, washing machines, or both. With respect to indoor*  
3 *applications, the commission shall consider whether to adopt or*  
4 *recommend measures to ensure that indoor recycled water piping*  
5 *is safely installed, including, but not limited to, requiring special*  
6 *markings on recycled water piping that states clearly whether it*  
7 *is approved for indoor use, or recommending restrictions on who*  
8 *may purchase or install recycled water piping for indoor use.*

9     (C) The cost of various recycled water systems and  
10 infrastructure.

11     (D) The estimated quantity of water savings under varying levels  
12 of application of recycled water in commercial and public buildings  
13 and adjacent landscaping.

14     (b) (1) The Building Standards Commission shall develop and  
15 adopt mandatory building standards for the installation of future  
16 recycled water infrastructure for commercial and public buildings  
17 in the next regularly scheduled Intervening Code Cycle adopted  
18 after January 1, 2017.

19     ~~(2) When developing and adopting mandatory building standards~~  
20 ~~for the installation of recycled water infrastructure, the Building~~  
21 ~~Standards Commission shall consider requiring local governments~~  
22 ~~to adopt a recycled water service plan, outlining the planned service~~  
23 ~~area of a recycled water provider, if the local government meets~~  
24 ~~any of the following requirements:~~

25     ~~(A) The local government has a recycled water facility in their~~  
26 ~~territory.~~

27     ~~(B) The local government has readily available access to~~  
28 ~~recycled water facility outside their territory.~~

29     ~~(C) The local government has a general plan or an integrated~~  
30 ~~regional water management plan which includes the use of recycled~~  
31 ~~water.~~

32     (2) *When developing the application provisions for the*  
33 *mandatory building standards, the commission shall limit the*  
34 *mandate to install recycled water piping to only those areas within*  
35 *a local jurisdiction that have feasible and cost-efficient access to*  
36 *a water recycling facility, or that have been identified by the local*  
37 *jurisdictions residing within a planned service area for the*  
38 *provision of recycled water for which a specific implementation*  
39 *timeline has been identified.*

- 1     (3) *The commission shall consider whether a service area plans*
- 2     *to provide direct potable water prior to mandating the use of*
- 3     *recycled water piping.*